

PADUANO & WEINTRAUB LLP  
1251 AVENUE OF THE AMERICAS  
NINTH FLOOR  
NEW YORK, NEW YORK 10020

—  
TELEPHONE: 212-785-9100  
TELECOPIER: 212-785-9099

July 24, 2020

**VIA ECF**

Hon. Edgardo Ramos  
United States District Court  
Southern District of New York  
40 Foley Square, Courtroom 619  
New York, New York 10007

Re: Michael Wolff and Victoria Wolff v. David W. Glenn and Angela Glenn and David W. Shipper, Esq., as Escrowee; Case No. 1:20-cv-03651-ER

Your Honor:

We represent Plaintiffs Michael Wolff and Victoria Wolff ("Purchasers") and we write jointly with counsel for Defendants David Glenn and Angela Glenn ("Sellers") (collectively, the "Parties") to request the entry of a discovery order in this matter.

The Parties conferred pursuant to Rule 26(f) on July 23, 2020. The Parties have prepared a proposed discovery plan as reflected in the Civil Case Discovery Plan and Scheduling Order (the "Proposed Order") attached as Exhibit A.

The Parties respectfully request that the Court schedule a preliminary conference in this matter to facilitate the entry of the Proposed Order. In the alternative, the Parties request that the Court so-order the Proposed Order without scheduling a preliminary conference in this matter.

Respectfully,

/s/ Noah H. Bunzl

Noah H. Bunzl

Cc: All Counsel (via ECF)

# **EXHIBIT A**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
Rev. June. 2013

Michael Wolff and Victoria Wolff,

Plaintiff(s),  
- against -

David W. Glenn and Angela Glenn, and  
David W. Shipper, Esq., as Escrowee,

Defendant(s).

**CIVIL CASE DISCOVERY PLAN  
AND SCHEDULING ORDER**

20 CV 03651 (ER)

-----x  
This Civil Case Discovery Plan and Scheduling Order (**the "Order"**) is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties [consent] **[do not consent]** to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed.)
2. This case **[is]** **[is not]** to be tried to a jury.
3. Joinder of additional parties must be accomplished by **4 weeks from the entry of this Order.**
4. Amended pleadings may be filed until **4 weeks from the entry of this Order.**
5. Interrogatories shall be served no later than **4 weeks from the joint submission of this Order by the Parties**, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 **[shall]** **[shall not]** apply to this case.
6. First request for production of documents, if any, shall be served no later than **4 weeks from the joint submission of this Order by the Parties.**
7. Non-expert depositions shall be completed by **October 15, 2020.**
  - a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
  - b. Depositions shall proceed concurrently.
  - c. Whenever possible, unless counsel agree otherwise or the Court so orders,

non-party depositions shall follow party depositions.

8. Any further interrogatories, including expert interrogatories, shall be served no later than September 15, 2020.
9. Requests to Admit, if any, shall be served no later than September 15, 2020.
10. Expert reports shall be served no later than November 1, 2020.
11. Rebuttal expert reports shall be served no later than November 15, 2020.
12. Expert depositions shall be completed by December 1, 2020.
13. Additional provisions agreed upon by counsel are attached hereto and made a part hereof.
14. **ALL DISCOVERY SHALL BE COMPLETED BY December 1, 2020.**
15. Any motions shall be filed in accordance with the Court's Individual Practices.
16. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
17. The Magistrate Judge assigned to this case is the Hon. James L. Cott.
18. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
19. The next case management conference is scheduled for \_\_\_\_\_, at \_\_\_\_\_. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated: New York, New York

---

Edgardo Ramos, U.S. District Judge